

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF OHIO
EASTERN DIVISION**

JEFFREY L. CHAPPLE, JR.,

Plaintiff,

v.

**FRANKLIN COUNTY SHERIFF'S
OFFICERS FCCC 1 & 2, *et al.*,**

Defendants.

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Case No. 2:21-cv-5086

Chief Judge Algenon L. Marbley

Magistrate Judge Elizabeth P. Deavers

ORDER

On January 23, 2023, the Court directed Plaintiff, who is incarcerated, to submit required service documents within thirty days, including copies of the Complaint, if he intended for the United States Marshal to serve Defendants. (ECF No. 29). On April 12, 2023, Plaintiff had not yet submitted the required service documents, and the Magistrate Judge recommended that his claims accordingly be dismissed without prejudice. (*See* ECF No. 31 at 3).


On April 28, 2023, Mr. Chapple moved for an extension of time to reply, which was granted. (ECF No. 33). Again, Mr. Chapple was given thirty days to submit the appropriate service documents. (*Id.*). On May 17, 2023, Mr. Chapple informed the Court of delays in his mail service due to his incarceration. (ECF No. 34).

Some two months later, however, Mr. Chapple had still not submitted the required service documents. As a result, on July 18, 2023, the Magistrate Judge again recommended that Mr. Chapple's claims be dismissed without prejudice. (ECF No. 35). About three weeks later, Mr. Chapple's mailed copy of the Report and Recommendation ("R&R") was returned as undeliverable. (*See* ECF No. 36).

In recognition of the difficulties sending and receiving postal mail while incarcerated, this Court re-issued the R&R to the facility where Mr. Chapple is currently incarcerated on December 8, 2023. (ECF No. 37; 38). Plaintiff was advised of his right to object to the R&R within fourteen days and of the rights he would waive by failing to do so. (*Id.*) As of the date of this Order, Mr. Chapple has not objected to either of the two R&Rs recommending dismissal of his claims.

This Court has reviewed the R&Rs. Noting that no objections have been filed thereto and that the time for filing such objections under Fed. R. Civ. P. 72(b) has expired, this Court hereby **ADOPTS** the R&Rs (ECF No. 31; 35) and **DISMISSES** Plaintiff's claims. (ECF No. 1-1)

IT IS SO ORDERED.


ALGENON L. MARBLEY
CHIEF UNITED STATES DISTRICT JUDGE

DATED: January 16, 2024